

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

COREY DESHON BLOCKER,)	
)	
Plaintiff,)	Civil No. 3:10-0480
v.)	Judge Trauger
)	
ELIZABETH KELLEY, et al.,)	
)	
Defendants.)	

ORDER

The Magistrate Judge filed a Report and Recommendation on August 2, 2010 (Docket No. 11), recommending that the court dismiss as frivolous under 28 U.S.C. § 1915(e)(2) the complaint filed by Corey Blocker *pro se* and *in forma pauperis*. Blocker filed a “Response to Report and Recommendation” (Docket No. 14), which the court construes as his objections.

The court must review *de novo* any portion of the Report and Recommendation to which a specific objection is made. 28 U.S.C. § 636(b)(1)(B); Fed.R.Civ.P. 72(b)(3); LR 72.03; *Massey v. City of Ferndale*, 7 F.3d 506, 510 (6th Cir. 1993). The court may accept, reject, or modify the recommended disposition, receive further evidence, or return the matter to the Magistrate Judge with instructions. Fed.R.Civ.P. 72(b)(3).

Blocker has not made specific objections to the Report and Recommendation. Having nonetheless reviewed the file *de novo*, the court does not detect any error of fact or law in the Report and Recommendation. Blocker asserts in his objections that he can prove fraud on the court under Federal Rule of Civil Procedure 60(b), but the court to which he refers appears to be a Tennessee state court, and not a federal court to which Rule 60(b) would apply. Otherwise, Blocker simply reiterates statements he made in the filings attached to his complaint, and the

Magistrate Judge has correctly characterized the complaint as frivolous under § 1915(e)(2). In addition, the court observes that Chief United States District Judge Todd J. Campbell, who is named as a defendant, is immune from suit for actions taken in his judicial capacity, so Blocker's claims against him are frivolous under § 1915(e)(2)(iii). Accordingly,

(1) Blocker's objections (Docket No. 14) are hereby OVERRULED.

(2) The Report and Recommendation (Docket No. 11), is hereby ACCEPTED.

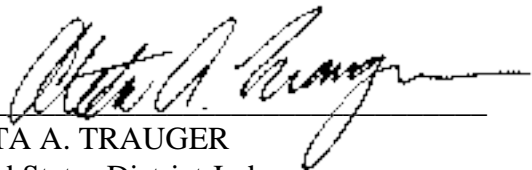
(3) This case is hereby DISMISSED WITH PREJUDICE as frivolous under 28 U.S.C. § 1915(e)(2).

(4) The Clerk is directed to enter judgment in a separate document in accordance with Federal Rule of Civil Procedure 58(a).

(5) The court hereby certifies that any appeal would not be taken in good faith. 28 U.S.C. §1915(a)(3).

It is so **Ordered**.

Entered this 31st day of August 2010.



ALET A. TRAUGER
United States District Judge